

KIESEL LAW LLP
 Paul R. Kiesel (SBN 119854)
 kiesel@kiesel.law
 Mariana A. McConnell (SBN 273225)
 mcconnell@kiesel.law
 Nico L. Brancolini
 brancolini@kiesel.law
 8648 Wilshire Boulevard
 Beverly Hills, CA 90211-2910
 Telephone: 310-854-4444
 Facsimile: 310-854-0812

JOHNSON & JOHNSON LLP
 Neville L. Johnson (SBN 66329)
 njohnson@jjllplaw.com
 Daniel B. Lifschitz (SBN 285068)
 dlifschitz@jjllplaw.com
 439 North Canon Drive, Suite 200
 Beverly Hills, CA 90210
 Telephone: 310-975-1080
 Facsimile: 310-975-1095

JENNER & BLOCK LLP
 Andrew J. Thomas (SBN 159533)
 ajthomas@jenner.com
 Andrew G. Sullivan (SBN 301122)
 agsullivan@jenner.com
 633 West 5th Street, Suite 3600
 Los Angeles, CA 90071
 Telephone: 213-239-5100
 Facsimile: 213-239-5199

Attorneys for Plaintiff and the Class

Attorneys for All Defendants

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

KEVIN RISTO, on behalf of himself
 and all others similarly situated,

Plaintiff,

v.

SCREEN ACTORS GUILD-
 AMERICAN FEDERATION OF
 TELEVISION AND RADIO
 ARTISTS, a Delaware corporation;
 AMERICAN FEDERATION OF
 MUSICIANS OF THE UNITED
 STATES AND CANADA, a California
 nonprofit corporation; RAYMOND M.
 HAIR, JR., an individual, as Trustee of
 the AFM and SAG-AFTRA Intellectual
 Property Rights Distribution Fund;
 TINO GAGLIARDI, an individual, as
 Trustee of the AFM and SAG-AFTRA
 Intellectual Property Rights
 Distribution Fund; DUNCAN

Case No. 2:18-cv-07241-CAS-PLA

Class Action

**JOINT STATUS REPORT FOR
 OCTOBER 5, 2020 CONFERENCE**

Complaint filed: June 22, 2018

Trial Date: None

1 CRABTREE-IRELAND, an individual,
 2 as Trustee of the AFM and SAG-
 3 AFTRA Intellectual Property Rights
 4 Distribution Fund; STEFANIE TAUB,
 5 an individual, as Trustee of the AFM
 6 and SAG-AFTRA Intellectual Property
 7 Rights Distribution Fund; JON JOYCE,
 8 an individual, as Trustee of the AFM
 9 and SAG-AFTRA Intellectual Property
 10 Rights Distribution Fund; BRUCE
 11 BOUTON, an individual, as Trustee of
 12 the AFM and SAG-AFTRA Intellectual
 13 Property Rights Distribution Fund; and
 14 DOE DEFENDANTS 1-10,

15 Defendants.

16 Plaintiff Kevin Risto (“Plaintiff”) and Defendants Screen Actors Guild-
 17 American Federation of Television and Radio Artists (“SAG-AFTRA”), American
 18 Federation of Musicians of the United States and Canada (“AFM”), Raymond M.
 19 Hair, Jr., Tino Gagliardi, Duncan Crabtree-Ireland, Stefanie Taub, Jon Joyce, and
 20 Bruce Bouton (collectively “Defendants”), by and through their respective counsel
 21 of record, jointly submit this status update to the Court pursuant to the Court’s
 22 February 19, 2020 Order. Dkt. 50.

23 **I. CLASS CERTIFICATION**

24 On September 14, 2020, this Court granted Plaintiff’s motion for class
 25 certification under Rules 23(b)(1) and 23(b)(2) and appointed Plaintiff Risto as class
 26 representative and Risto’s counsel as class counsel. The Class is defined as follows:

27 All non-featured musicians and non-featured vocalists, their agents,
 28 successors in interest, assigns, heirs, executors, trustees, and
 administrators, entitled to royalties under the Copyright Act (17 U.S.C.
 § 114 (g)(2)(b-c)) allocated for distribution for each distribution cycle
 after July 22, 2013.

29 **II. STATUS OF DISCOVERY**

30 The parties have met and conferred and coordinated on a schedule for the

Defendants' depositions to take place over the next two months. The parties will continue to confer and coordinate the depositions of additional witnesses identified in Defendants' initial disclosures and disclosed in written discovery, including the deposition of the Fund's designated witness and other third parties. Defendants have indicated that they wish to take the depositions of two third parties, as well as the Plaintiff, and the parties will coordinate regarding the same.

Plaintiff continues to meet and confer with counsel for Defendants regarding document production issues, and the parties will continue to attempt to resolve issues without judicial intervention.

III. DISPOSITIVE MOTIONS

Plaintiff intends to complete the depositions of the Defendants and Defendants' identified witnesses and is considering several dispositive or otherwise instructive motions to bring before the Court. Defendants also are considering filing a motion for summary judgment and other possible motions.

IV. MEDIATION

On April 28, 2020, the parties engaged in a full-day mediation with the Honorable Justice Steven J. Stone. The mediation was not successful, and the parties have not discussed settlement since that session.

Respectfully submitted,

DATED: September 25, 2020

KIESEL LAW LLP

By: /s/ Mariana A. McConnell

Paul R. Kiesel
Mariana A. McConnell
Nico L. Brancolini

JOHNSON & JOHNSON LLP

Neville L. Johnson
Daniel B. Lifschitz

Attorneys for Plaintiff and the Class

1 DATED: September 25, 2020

JENNER & BLOCK LLP

2
3 By: /s/ Andrew Sullivan

4 Andrew J. Thomas
5 Andrew G. Sullivan

JENNER & BLOCK LLP

6 *Attorneys for All Defendants*
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTESTATION UNDER LOCAL RULE 5-4.3.4

I, Mariana A. McConnell, am the ECF User whose ID and password are being used to file this Stipulation. In compliance with Local Rules 5-4.3.4(a)(2), I hereby attest that all signatories have concurred in this filing.

DATED: September 25, 2020

KIESEL LAW LLP

By: /s/ Mariana A. McConnell

Paul R. Kiesel
Mariana A. McConnell
Nico L. Brancolini

JOHNSON & JOHNSON LLP

Neville L. Johnson
Daniel B. Lifschitz

Attorneys for Plaintiff and the Class